

AMENDED IN ASSEMBLY JUNE 29, 2004

AMENDED IN SENATE MAY 1, 2003

**SENATE BILL**

**No. 942**

**Introduced by Senator Sher**

February 21, 2003

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An act to amend Section ~~25161~~ 25178 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 942, as amended, Sher. Hazardous waste: ~~transportation:~~ *database report.*

Existing law requires the Department of Toxic Substances Control to develop a database that tracks all hazardous waste shipped in and out of the state for handling, treatment, storage, disposal, or a combination thereof. Existing law requires the database to include the state or country receiving the waste, the month and year of the shipment, the type of hazardous waste shipped, and the manner in which the hazardous waste was handled at its final destination, every other year, to prepare and submit to the legislature a report containing specified information related to hazardous waste.

This bill would require the database, additionally, to include whether the receiving facility, if it is outside of the state, operates in accordance with California's standards for handling hazardous waste, to the extent that existing resources allow for the collection of this information report, additionally, to include the total estimated volume of water containing hazardous waste that is discharged into publicly owned treatment works, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 25161 of the Health and Safety Code is~~

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3 *SECTION 1. Section 25178 of the Health and Safety Code is*  
4 *amended to read:*

5 25178. On or before January 1 of each odd-numbered year,  
6 the department shall prepare and submit to the Legislature a report  
7 containing, but not limited to, *all of* the following:

8 (a) The status of the regulatory and program developments  
9 required pursuant to legislative mandates.

10 (b) (1) The status of the hazardous waste facilities permit  
11 program, which shall include all of the following information:

12 (A) A description of the final hazardous waste facilities permit  
13 applications received.

14 (B) The number of final hazardous waste facilities permits  
15 issued to date.

16 (C) The number of final hazardous waste facilities permits yet  
17 to be issued.

18 (D) A complete description of the reasons why the final  
19 hazardous waste facilities permits yet to be issued have not been  
20 issued.

21 (2) For purposes of paragraph (1), “hazardous waste facility”  
22 means a facility ~~which~~ *that* uses a land disposal method, as defined  
23 in subdivision ~~(h)~~ *(d)* of Section ~~25179.3~~ 25179.2, and ~~which~~ *that*  
24 disposes of wastes regulated as hazardous waste pursuant to the  
25 federal act.

26 (c) The status of the hazardous waste facilities siting program.

27 (d) The status of the hazardous waste abandoned sites program.

28 (e) A summary of enforcement actions taken by the department  
29 pursuant to this chapter and any other actions relating to hazardous  
30 waste management.

31 (f) Summary data on annual quantities and types of hazardous  
32 waste generated, transported, treated, stored, and disposed.

33 (g) Summary data regarding onsite and offsite disposition of  
34 hazardous waste.

35 (h) Research activity initiated by the department.

(i) Regulatory action by other agencies relating to hazardous waste management.

(j) A revised listing of recyclable materials showing any additions or deletions to the list prepared pursuant to Section 25175 that have occurred since the last report.

(k) Any other data considered pertinent by the department to hazardous waste management.

(l) The information specified in subdivision (c) of Section 25161, paragraph (4) of subdivision (a) (b) of Section 25197.1, subdivision (d) (c) of Section 25354, and Sections 25334.7, 25354.5, and 25356.5.

(m) A status report on the cleanup of the McColl Hazardous Waste Disposal Site in Orange County.

(n) *The total estimated volume of water containing hazardous waste that is discharged into publicly owned treatment works, including all of the following information, to the extent that it is available:*

*(1) The types of hazardous waste in that discharged water.*

*(2) The major sources of hazardous waste in that discharged water.*

~~amended to read:~~

~~25161. (a) The department may adopt and enforce those regulations, regarding a uniform program for hazardous waste transportation, that are necessary and appropriate to achieve consistency with the findings made by the Federal Highway Administration and the federal Department of Transportation pursuant to Chapter 51 (commencing with Section 5101) of Title 49 of the United States Code.~~

~~(b) The department shall adopt and enforce all rules and regulations that are necessary and appropriate to accomplish the purposes of Section 25160.~~

~~(c) The department shall develop a database that tracks all hazardous waste shipped in and out of state for handling, treatment, storage, disposal, or any combination thereof, which includes all of the following information:~~

~~(1) The state or country receiving the waste.~~

~~(2) Month and year of shipment.~~

~~(3) Type of hazardous waste shipped.~~

1     ~~(4) The manner in which the hazardous waste was handled at~~  
2     ~~its final destination, such as incineration, treatment, recycling,~~  
3     ~~land disposal, or a combination thereof.~~

4     ~~(5) If the receiving facility is outside of the state, whether it~~  
5     ~~operates in accordance with California's standards for handling~~  
6     ~~hazardous waste, to the extent that existing resources allow for the~~  
7     ~~collection of this information.~~

8     ~~(d) The department shall include in the biennial report~~  
9     ~~specified in Section 25178 all of the following information:~~

10    ~~(1) The total volume in tons of hazardous waste generated in~~  
11    ~~the state and shipped offsite for handling, treatment, storage,~~  
12    ~~disposal, or any combination thereof.~~

13    ~~(2) The total volume in tons of hazardous waste generated in~~  
14    ~~the state and shipped in and out of the state for handling, treatment,~~  
15    ~~storage, disposal, or any combination thereof, including all of the~~  
16    ~~following information:~~

17    ~~(A) The state or country receiving the hazardous waste.~~

18    ~~(B) Month and year of shipment.~~

19    ~~(C) Type of hazardous waste shipped.~~

20    ~~(D) The manner in which the hazardous waste was handled at~~  
21    ~~its final destination, such as incineration, treatment, recycling,~~  
22    ~~land disposal, or a combination thereof.~~